

**CONSENT AGENDA
May 29, 2012**

A. APPROVAL OF MINUTES

**1. SUBJECT: APPROVAL OF MINUTES DATED
MARCH 26, MARCH 29 AND APRIL 2, 2012**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See TAB A.

B. APPROPRIATIONS AND TRANSFERS

**1. SUBJECT: CLERK OF CIRCUIT COURT – RECORD
PRESERVATION GRANT**

**A-FY-12-
CLERK OF CIRCUIT COURT
RECORD PRESERVATION GRANT**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012, for the function and in the amount as follows:

250	Clerk of Circuit Court	\$3,108
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
22511 419108 Record Preservation Grant	\$3,108

Said resolution appropriates grant funds to be used to restore land books.

ISSUE/PURPOSE: Record Preservation Grant

JUSTIFICATION: The Clerk's Office received grant funds from the Daughters of the American Revolution for the restoration of old land books. This resolution appropriates these grant funds to be used by the Clerk's Office.

2. **SUBJECT: PARKS AND RECREATION – TRANSFER FROM GENERAL CONTINGENCIES (Balance in General Contingencies before approval of this Resolution is \$217,615)**

**A-FY-12-
PARKS AND RECREATION
TRANSFER FROM GENERAL CONTINGENCIES**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950 General Contingencies (\$14,000)

TO:

700 Parks and Recreation \$14,000

Said resolution transfers funds from General Contingencies to the Parks and Recreation for additional costs associated with the Frog Pond.

ISSUE/PURPOSE: Transfer of General Contingencies.

JUSTIFICATION: The Frog Pond is opening two weeks earlier than it usually opens. The revenue collected during these two weeks will not be sufficient to offset the additional operating costs. As a result, additional funds are needed. This resolution transfers the estimated increase from general contingencies.

3. **SUBJECT: SHERIFF – WESTERN VIRGINIA REGIONAL JAIL - TRANSFER FROM GENERAL CONTINGENCIES (Balance in General Contingencies before approval of this Resolution is 206,615)**

**A-FY-12-
SHERIFF
WESTERN VIRGINIA REGIONAL JAIL
TRANSFER FROM GENERAL CONTINGENCIES**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950 General Contingencies (\$171,550)

TO:
324 Sheriff County – Regional Jail \$171,550

Said resolution transfers funds from General Contingencies to the Sheriff for additional costs associated with the Western Virginia Regional Jail

ISSUE/PURPOSE: Transfer of General Contingencies.

JUSTIFICATION: Due to a higher utilization of the Western Virginia Regional Jail than anticipated during the budget process, additional funding is needed for the County's share of Regional Jail costs.

4. SUBJECT: SHERIFF – RECOVERED COSTS

**A-FY-12-
SHERIFF
RECOVERED COSTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012, for the function and in the amount as follows:

310 Sheriff Comp Board \$2,301

The source of the funds for the foregoing appropriation is as follows:

Revenue Account
419108 Recovered Costs \$2,301

Said resolution appropriates recovered costs for use by the Sheriff's department.

ISSUE/PURPOSE: Appropriates recovered costs.

JUSTIFICATION: This resolution appropriates recovered cost from extraditions.

5. SUBJECT: SHERIFF – CAPITAL RESERVE APPROPRIATION

**A-FY-12-
SHERIFF
CAPITAL RESERVE APPROPRIATION**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012, for the function and in the amount as follows:

320 Sheriff	\$59,000
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The source of funds for the foregoing appropriation is as follows:

451205 Fund Balance – Capital Reserve Funds	\$59,000
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Said resolution appropriates capital reserve funds to the Sheriff's Department for the purchase of portable radios.

ISSUE/PURPOSE: Appropriate Capital Reserve Funds.

JUSTIFICATION: The NRV Emergency Communications Regional Authority is working on communications upgrades. The new system being implemented between Blacksburg and Virginia Tech by the Authority requires an upgrade to the portable radios in the Sheriff's Office. The current radios are limited to 16 channels and there are currently 58 UHF channels in the New River Valley. By combining this purchase with Blacksburg and Virginia Tech through the Authority's contract, the Sheriff's office will save a total of approximately \$4,000.

6. SUBJECT: SCHOOL OPERATING FUNDS – SUPPLEMENTAL APPROPRIATION

**A-FY-12-
SCHOOL OPERATING FUND
SUPPLEMENTAL APPROPRIATION**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012, for the function and in the amount as follows:

610000 Instruction	\$864,068
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640000 Operations and Maintenance	<u>\$26,000</u>
Total	\$890,068

The sources of funds for the foregoing appropriation are as follows:

<u>Revenue Account:</u>	
Regional Alternative Ed Grant	\$124,185
LDS Grants to LEA	\$268,683
ARRA – Special Education Flow Through	\$471,200
VPSA Technology Grant	<u>\$ 26,000</u>
Total	\$890,068

Said resolution appropriates additional funds for the School Operating Fund.

ISSUE/PURPOSE: School Operating Fund

JUSTIFICATION: The School Board requested the appropriation of grants received totaling \$890,068. See TAB **B** for a copy of the School's letter outlining the grants received.

7. SUBJECT: 2011 QUALIFIED SCHOOL CONSTRUCTION BOND INTEREST SUBSIDY

**A-FY-12-
2011 QUALIFIED SCHOOL CONSTRUCTION
BOND INTEREST SUBSIDY**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Debt Service Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012, for the function and in the amount as follows:

920 School Debt Service	\$293,959
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account:</u>	
Interest Subsidy	\$293,959

Said resolution appropriates interest subsidy monies.

ISSUE/PURPOSE: Interest Subsidy.

JUSTIFICATION: The Qualified School Construction Bonds (QSCB) issued in November 2011 are interest subsidy bonds. The County pays the interest and is then

reimbursed, for a net cost of \$0 to the County. This resolution appropriates the interest subsidy. This was not included in the FY 12 budget as the bonds were issued after the budget process was completed. These funds are included in the FY 13 budget.

C. BENEFITS

**1. SUBJECT: VIRGINIA RETIREMENT SYSTEM -
MEMBER CONTRIBUTION BY SALARY
REDUCTION FOR COUNTIES, CITIES,
TOWNS, AND OTHER POLITICAL
SUBDIVISIONS**

**R-FY-12-
VIRGINIA RETIREMENT SYSTEM
MEMBER CONTRIBUTIONS BY SALARY REDUCTIONS
FOR COUNTIES, CITIES, TOWNS, AND OTHER
POLITICAL SUBDIVISIONS**

WHEREAS, The Montgomery County, Virginia 55160 employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012 ("FY2013 Employees" for purposes of this resolution), shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, The Montgomery County, Virginia 55160 employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS, Such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, The Board of Supervisors of Montgomery County, Virginia 55160 may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year, in whole percentages, until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, The second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2012, to each such employee in service on June 30, 2012, to

offset the cost of the member contributions, such increase in total creditable compensation to be equal to the difference between five percent of the employee's total creditable compensation and the percentage of the member contribution paid by such employee on January 1, 2012.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia 55160 does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2012 (i.e., FY2013).

Type of Employee	Employer Paid Member Contribution	Employee Paid Member Contribution
Plan 1	%	5%
Plan 2	%	5%
FY2013 Employees	0%	5%

(Note: Each row must add up to 5 percent)

BE IT FURTHER RESOLVED, That such contributions, although designated as member contributions, are to be made by Montgomery County, Virginia in lieu of member contributions; and

BE IT FURTHER RESOLVED, That pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT FURTHER RESOLVED, That member contributions made by Montgomery County, Virginia under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

BE IT FURTHER RESOLVED, That nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by Montgomery County, Virginia directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED, That notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of Montgomery County, Virginia shall be reduced by the amount of member contributions picked up by Montgomery County, Virginia on behalf of such employee pursuant to the foregoing resolutions.

BE IT FURTHER RESOLVED, The officers of Montgomery County, Virginia 55160 are hereby authorized and directed in the name of Montgomery County, Virginia to carry out the provisions of this resolution, and said officers of

Montgomery County, Virginia are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by Montgomery County, Virginia for this purpose.

Governing Body Chairman

CERTIFICATE

I, _____, Clerk of Montgomery County, Virginia, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Board of Supervisors of Montgomery County, Virginia held at the Montgomery County Government Center, Christiansburg, Virginia at 7 o'clock on May 29, 2012. Given under my hand and seal of the Board of Supervisors of Montgomery County, Virginia this _____ day of _____, 2012.

Clerk

ISSUE/PURPOSE:	Virginia Retirement System Employee Contributions
JUSTIFICATION:	The General Assembly enacted legislation requiring employees to contribute 5% of their salaries to the Virginia Retirement System (VRS). Previously, employers were permitted to make this contribution on behalf of employees. Localities have up to five years to shift the 5% to employees. A minimum of 1% must be shifted each year. VRS requires this resolution be approved prior to July 1, 2012, and serves as the County's election to shift the entire 5% beginning July 1, 2012. The County will provide a 5.7% pay increase to offset the cost of the employee contributions, including fringe benefits, to affected employees.

2. **SUBJECT: VIRGINIA RETIREMENT SYSTEM –
EMPLOYER CONTRIBUTION RATES FOR
COUNTIES, CITIES, TOWNS, SCHOOL
DIVISIONS AND OTHER POLITICAL
SUBDIVISIONS**

**R-FY-12-
VIRGINIA RETIREMENT SYSTEM
EMPLOYER CONTRIBUTION RATES FOR COUNTIES,
CITIES, TOWNS, SCHOOL DIVISIONS
AND OTHER POLITICAL SUBDIVISIONS
(In accordance with the 2012 Appropriation Act Item 468(H))**

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia 55160 does hereby acknowledge that its contribution rates effective July 1, 2012 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-14 biennium (the “Alternate Rate”) provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2011 actuarial value of assets and liabilities (the “Certified Rate”); and

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia 55160 does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2012:

(Check only one box)

- ☐ The Certified Rate of 13.94% X The Alternate Rate of 10.51%;
and

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia 55160 does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution.

NOW, THEREFORE, BE IT RESOLVED, The officers of the Board of Supervisors of Montgomery County, Virginia 55160 are hereby authorized and directed in the name of the Board of Supervisors of Montgomery County, Virginia to carry out the provisions of this resolution, and said officers of the Board of Supervisors of Montgomery County, Virginia are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Board of Supervisors of Montgomery County, Virginia for this purpose.

CERTIFICATE

I _____, Clerk of the Board of Supervisors of Montgomery County, Virginia, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Board of Supervisors of Montgomery County, Virginia at seven o'clock on May 29, 2012. Given under my hand and seal of the Board of Supervisors of Montgomery County, Virginia this _____ day of _____, 2012.

Clerk

ISSUE/PURPOSE: Virginia Retirement System Contribution Rate.

JUSTIFICATION: The General Assembly enacted legislation which allows localities to elect to pay a lower Virginia Retirement System (VRS) contribution rate than the VRS certified rate. The lower rate for the County is equal to the County's FY 12 rate. The difference between the lower rate and the certified rate will be amortized and added to the certified rate over the next five years. The County can elect to pay the higher rate for FY 14, if desired at that time.

D. AGREEMENTS

1. SUBJECT: COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT) AGREEMENT FOR SERVICES

**R-FY-12-
RESOLUTION APPROVING THE AGREEMENT FOR SERVICES
THE COUNTY OF MONTGOMERY COMMUNITY POLICY AND MANAGEMENT
TEAM RELATING TO THE PROVISION OF SERVICES TO
YOUTH AND THEIR FAMILIES UNDER
THE COMPREHENSIVE SERVICES ACT
FOR AT RISK YOUTH AND FAMILIES (CSA)**

WHEREAS, The Community Policy and Management Team (CPMT) has drafted an Agreement for Services for those providers of services to youth and their families through the CPMT and the Comprehensive Services Act for At Risk Youth and Families (CSA); and

WHEREAS, The CSA empowers the CPMT to enter into contracts for the provision or operation of services under the CSA upon the approval of the local governing body; and

WHEREAS, The Board of Supervisors approves the proposed Agreement for Services between providers of services and the CPMT dated July 1, 2012, relating to the provision of services to youth and their families under the CSA.

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves of the proposed Agreement for Services between providers of services and the Montgomery County CPMT dated July 1, 2012, relating to the provision of services to youth and their families under the CSA.

ISSUE/PURPOSE: Approve the Agreement for Services between providers of services and CPMT.

JUSTIFICATION: See TAB C for a copy of the Agreement for Services.

E. PUBLIC UTILITY EASEMENTS

**1. SUBJECT: APCO REQUEST FOR TEMPORARY
PUBLIC UTILITY EASEMENT AT THE NEW
BLACKSBURG HIGH SCHOOL**

**R-FY-12-
A RESOLUTION APPROVING THE CONVEYANCE OF
A TEMPORARY RIGHT OF WAY EASEMENT
TO APPALACHIAN POWER COMPANY
ASSOCIATED WITH THE NEW BLACKSBURG HIGH SCHOOL**

WHEREAS, Due to the construction of the new Blacksburg High School project, Appalachian Power has to install two temporary power line poles to provide electrical service to Branch and Associates at the new Blacksburg High School construction site; and

WHEREAS, Appalachian Power Company has requested a temporary right-of-way easement from the Board of Supervisors of the County of Montgomery, Virginia, across Parcel No. 283-1-6 as shown on the Easement Agreement dated May 16, 2012; and

WHEREAS, The Board of Supervisors of the County of Montgomery desires to grant Appalachian Power Company the required temporary right-of-way easement as shown on the Easement Agreement for the new Blacksburg High School project and authorizes the Chair, James D. Politis, to sign the said Easement Agreement on behalf of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey a temporary right-of-way easement to Appalachian Power as shown on the attached Easement on Tax Parcel 283-1-6.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes James D. Politis, Chair, to sign the said Easement Agreement on behalf of the Board of Supervisors of the County of Montgomery, Virginia.

ISSUE/PURPOSE: Convey a temporary right-of-way easement to Appalachian Power for the new Blacksburg High School.

JUSTIFICATION: APCO has requested a temporary right-of-way easement in order to install two power line poles for Branch and Associates for the new Blacksburg High School construction project. . See TAB **D** for a copy of the Easement Agreement.

F. APPOINTMENTS

1. SUBJECT: LOCAL WORKFORCE INVESTMENT BOARD – REAPPOINT MICHAEL MILLER

R-FY-12- LOCAL WORKFORCE INVESTMENT BOARD-REAPPOINT MICHAEL MILLER

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby recommends that **Michael B. Miller** be reappointed to the **New River/Mount Rogers Workforce Investment Board** as the business (private sector) representative for Montgomery County, effective July 1, 2012 and expiring June 30, 2015.

ISSUE/PURPOSE: Recommend to the Chief Local Elected Officials (CLEO) that Michael B. Miller be reappointed to the Local Workforce Investment Board for a full 3-year term.

JUSTIFICATION: Mr. Miller was first appointed to the Local Workforce Investment Board on October 25, 2011 to fill the unexpired term of Patrick Ruocco, resigned. This appointment was discussed at the Board's May 14, 2012 meeting and staff was directed to send a letter to Mr. Miller and ask if he

was interested in reappointment. Mr. Miller responded that he wishes to be reappointed to the Local Workforce Investment Board.

2. **SUBJECT: MONTGOMERY-FLOYD REGIONAL
LIBRARY BOARD – REAPPOINT KAREN
DRAKE**

**R-FY-
MONTGOMERY-FLOYD REGIONAL
LIBRARY BOARD
REAPPOINT KAREN DRAKE**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Karen Drake** to the **Montgomery-Floyd Regional Library Board** effective July 1, 2012 and expiring June 30, 2016.

ISSUE/PURPOSE: Reappoint Karen Drake to the Library Board.

JUSTIFICATION: At the direction of the BoS, a letter was sent to Ms. Drake asking if she was interested in reappointment. She has responded that she wishes to be reappointed.

3. **SUBJECT: NEW RIVER VALLEY ECONOMIC
DEVELOPMENT ALLIANCE-APPOINT
AT-LARGE (PRIVATE SECTOR)
REPRESENTATIVE**

**R-FY-12
NEW RIVER VALLEY
ECONOMIC DEVELOPMENT ALLIANCE
APPOINTMENT – AT LARGE REPRESENTATIVE (PRIVATE SECTOR)
JOHN S. PHILLIPS**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **John S. Phillips** as Montgomery County's at-large (private sector) representative to the **New River Valley Economic Development Alliance** effective May 30, 2012 and expiring December 31, 2012.

Said appointment fills an unexpired term that ends on December 31, 2012.

ISSUE/PURPOSE: Appoint John S. Phillips to fill an unexpired term that ends on December 31, 2012.

JUSTIFICATION: This is an annual appointment that runs from January 1 through December 31 of each year.

This is not an advertised appointment. Recommendations for appointment are made by members of the Board of Supervisors.

4. SUBJECT: VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY- REAPPOINT MARY W. BIGGS AND REAPPOINT BRIAN HAMILTON AS HER ALTERNATE

**A-FY-12-
VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY
REAPPOINT MARY W. BIGGS AND
REAPPOINT BRIAN HAMILTON, ALTERNATE**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Mary W. Biggs** to the **Board of Directors of Virginia's First Regional Industrial Facility Authority** for a term of four years effective July 1, 2012 and expiring June 30, 2016.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby reappoints **Brian Hamilton** to serve as alternate for **Mary W. Biggs** for a term of four years effective July 1, 2012 and expiring June 30, 2016.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

ISSUE/PURPOSE: Reappoint Supervisor Mary Biggs to the Virginia's First Regional Industrial Facility Authority, and reappoint Brain Hamilton as her alternate.

JUSTIFICATION: These are not advertised appointments. Each participating jurisdiction appoints two members and two alternates for 4-year terms. Member jurisdictions are the counties of Bland, Giles, Pulaski, Wythe, Craig, Montgomery and Roanoke; the cities of Roanoke and Salem; and the towns of Christiansburg, Narrows, Pulaski, Dublin, and Pearisburg. See TAB **E**.